

DECISION RECORD

and

FINDING OF NO SIGNIFICANT IMPACT

for

Road Decommissioning Project

Environmental Assessment Number OR-086-00-01

USDI - Bureau of Land Management
Oregon State Office
Salem District
Tillamook Resource Area
Yamhill County, Oregon

BACKGROUND

On March 12, 1999, an IDT (interdisciplinary team) was formulated to analyze a proposal to decommission approximately two miles of roads that had been identified by the BLM (Bureau of Land Management) as no longer needed for resource management. The project area is located within the Willamina Creek watershed in Township 5 South, Range 7 West, Section 8, Willamette Meridian. In response to this action an environmental analysis was conducted and documented in an EA¹ (environmental assessment), dated July 28, 2000.

Since the release of the EA, the interdisciplinary team has identified the need to update information relative to the Magnuson-Stevens Fishery Management and Conservation Act. The change to the EA is contained in an Errata (see attachment) and does not alter the analysis and determination of effects to the fisheries resource as presented in the July 28, 2000 EA.

A copy of the EA and Errata may be obtained from the Tillamook Field Office, P.O. Box 404, 4610 Third Street, Tillamook, Oregon 97141. Office hours are Monday through Friday, 7:30 A.M. to 4:00 P.M., closed on holidays.

¹ Environmental Assessment Number OR-086-00-01, dated July 28, 2000, contains the environmental analysis conducted for two projects, Road Decommissioning and Coast Creek Density Management Thinning (silvicultural treatment of approximately 166 acres of 51- to 74-year old relatively dense, pure, and uniform Douglas-fir stands). In accordance with Forest Management Regulations at 43 CFR 5003.2, the decision for the Coast Creek density management thinning project will not become effective or be open to formal protest until the Notice of Sale is published "in a newspaper of general circulation in the area where the lands affected by the decision are located." For that project, the Notice of Sale is anticipated to be published in early May 2001 in the *Headlight Herald*, *News-Register*, and *Sun*, newspapers respectively of Tillamook, McMinnville, and Sheridan, Oregon.

The decision to be made by the Tillamook Field Manager is whether or not to prepare an environmental impact statement, and whether to approve the road decommissioning project as proposed, not at all, or to some other extent.

DECISION

Based on site-specific analysis, the supporting project record, management recommendations contained in the WA (*Deer Creek, Panther Creek, Willamina Creek, and South Yamhill Watershed Assessment*), dated May, 1998, LSRA (*Late-Successional Reserve Assessment for Oregon's Northern Coast Range Adaptive Management Area*), dated January, 1998 and the AMA Guide (*Northern Coast Range Adaptive Management Area Guide*), dated January, 1997, as well as the management direction contained in the RMP (*Salem District Resource Management Plan*), dated May, 1995, I have decided to implement the road decommissioning project described in Alternative 2 (Proposed Action), hereafter referred to as the "selected alternative." This decision includes:

1. Decommission approximately two miles of roads (i.e., 5-7-8.3, 5-7-8.6, 5-7-8.7, 5-7-8.8, and several unnumbered spur roads; EA, Figure 2, p. 12) that have been identified as no longer needed for resource management. Activities, where appropriate, will include decompacting the roadway surface (subsoiling), water-barring, blocking to vehicle traffic, and seeding²/planting native vegetation consistent with the Best Management Practices identified in the Salem District RMP, Appendix C.
2. The roads will be decommissioned after the completion of harvest activities associated with the Coast Creek density management thinning project, as many are needed for access to the treatment units.
3. Activities which generate noise above the ambient forest noise level will be prohibited between March 1 and July 6, as the roads are within 0.25 mile of unsurveyed suitable spotted owl habitat.

² Seed mixes used will be free of noxious weeds and preferably be natives. Non-native sterile/annuals or short lived, non-invasive species will only be used if adequate supplies of locally adapted native seeds are not available.

ALTERNATIVES CONSIDERED

The alternatives considered in detail included the proposed action alternative which initiated the environmental analysis process and the “no action” alternative which is procedurally required. A description of the alternative development process and a complete description of the alternatives analyzed in detail are contained in the EA, pp. 6-15.

REASONS FOR THE DECISION

Considering public comment, the content of the EA and supporting project record, the management recommendations contained in the WA and AMA Guide, and the management direction contained in the RMP, I have decided to implement the selected alternative as described above. My rationale for this decision follows:

1. The selected alternative addresses the identified purpose and need for action in that it meets ACS (Aquatic Conservation Strategy) objectives (EA, Appendix 6). Specifically, the selected alternative reduces the miles of road within the watershed that are no longer needed by the BLM for resource management thereby reducing the potential for sedimentation and improving hydrological processes. Additionally, the selected alternative provides some social and economic benefits to the local community through contract work. The “no action” alternative was not selected because it does not address the purpose and need for action. Under the “no action” alternative, these roads would likely not receive any maintenance due to budget restraints and would continue to erode (EA, p. 23).
2. The selected alternative is consistent with applicable land use plans, policies, and programs (EA, pp. 48-49).
3. Public comment to the EA and preliminary FONSI (Finding of No Significant Impact) did not identify any concerns with the implementation of the road decommissioning project.

PUBLIC INVOLVEMENT

Scoping consisted of listing the proposed project in the March and June 1999, and February and June 2000 editions of the quarterly *Salem District Project Update* which were mailed to over 1,000 addresses, as well as a letter mailed on October 6, 1999 to 119 individuals, groups, and agencies that were potentially affected and/or interested (Project Record Document 15). A total of six letters were received as a result of this scoping (Project Record Documents 16, 19, 20-22, 24). All public input was assigned a number and filed in the Project Record. The IDT reviewed, clarified, and assessed the public comments. The disposition of those comments are contained in

the EA, Appendix 1.

Considering public comment, the IDT did not identify any major issue associated with the road decommissioning project³. Since there were no major issues, the environmental analysis for the road decommissioning project focused on the standard elements of the environment - soil and water, vegetation, wildlife, and fisheries.

On July 28, 2000, a pre-decision letter, along with a copy of the EA and preliminary FONSI, were mailed to 11 individuals, groups, and agencies that requested to be placed on the mailing list (Project Record Document 48). Also, legal notices requesting public comment to the EA and preliminary FONSI appeared in the *Headlight Herald* on August 2, 2000 and *News-Register* on August 3, 2000, newspapers respectively of Tillamook and McMinnville, Oregon (Project Record Documents 50, 51). The EA and preliminary FONSI were available for public review from August 2, 2000 to September 5, 2000.

As a result of the notices for public comment to the EA and preliminary FONSI, two letters were received (Project Record Documents 57-58). All public input was assigned a number and filed in the Project Record. The BLM responses to those comments are contained in Appendix 7 (see attachment) and those comments were considered by the Tillamook Field Manager in reaching a final decision for this project.

FINDING OF NO SIGNIFICANT IMPACT

Based upon review of the EA and supporting project record, I have determined that the selected alternative is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. Therefore, an environmental impact statement is not needed. This finding is based on the following discussion:

Context. The selected alternative is a site-specific action directly involving approximately two miles of BLM controlled road that by itself does not have international, national, region-wide, or state-wide importance. The project area falls within designated critical habitat of the upper

³ Although the IDT did not identify any major issue associated with the road decommissioning project, potential impacts to the soil and water resources from the Coast Creek density management thinning project were identified by the IDT as a major issue. The soil and water issue defined the scope of environmental concern for the density management thinning project and was used to formulate alternatives contained in Chapter 2 of the EA.

Willamette steelhead and upper Willamette chinook salmon⁴, both of which are listed as federally threatened under the ESA (Endangered Species Act). The discussion of the significance criteria that follows applies to the intended action and is within the context of local importance. Chapter 3 of the EA details the effects of the selected alternative. None of the effects identified, including direct, indirect and cumulative effects, are considered to be significant and do not exceed those effects described in the RMP/FEIS (*Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*), dated September 1994.

Intensity. The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27.

1. **Impacts may be both beneficial and adverse.** Due to the selected alternative's design features, the predicted effects, most noteworthy, include: 1/ improved watershed condition in the long-term due to increased infiltration and reduced road related water and sediment runoff (EA, p. 24); 2/ improved ecosystem functioning (EA, p.41); 3/ some social and economic benefits to the local communities through contract work; and 4/ restoration and maintenance of the ACS objectives (EA, p. 45 and Appendix 6).

None of the environmental effects disclosed above and discussed in detail in Chapter 3 of the EA and associated appendices are considered significant, nor do the effects exceed those described in the RMP/FEIS.

2. **The degree to which the selected alternative will affect public health or safety.** Public health and safety were not identified as an issue. The selected alternative is comparable to other road decommissioning projects which have occurred within the Salem District with no unusual health or safety concerns.
3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas.** There are no historic or cultural resources, park lands, prime farm lands, wild and scenic rivers, or wildernesses located within the project area (EA, Appendix 3).

The project area is located within the Adaptive Management Area and Riparian Reserve land use allocations, as identified in the RMP. The project area also falls within designated critical habitat of two fish species, as previously stated. Activities associated with the selected alternative are predicted to contribute to the attainment of ACS objectives. Additionally, the selected alternative was determined to "*May Affect, Not Likely to Adversely Affect*" the upper Willamette steelhead and the designated critical habitat for both the upper Willamette steelhead and upper Willamette chinook salmon. (EA, p. 46; Project Record Documents 46, 59).

⁴ The Upper Willamette chinook salmon is native to the upper Willamette drainage, but were not known to occur in Willamina Creek, currently or historically.

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects of the selected alternative on the quality of the human environment were adequately understood by the interdisciplinary team to provide an environmental analysis. A complete disclosure of the predicted effects of the selected alternative is contained in Chapter 3 of the EA and associated appendices.

Two letters were received in response to the notice for public comment to the EA and preliminary FONSI. The BLM responses to those comments are contained in Appendix 7 (see attachment). There were no substantive comments or evidence provided that the environmental effects of the selected alternative were wrongly predicted. In fact, one of the comments suggested that more roads should be decommissioned.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The selected alternative is not unique or unusual. The BLM has experience implementing similar actions in similar areas and have found effects to be reasonably predictable. The environmental effects to the human environment were fully analyzed in the EA. There are no predicted effects on the human environment which are considered to be highly uncertain or involve unique or unknown risks.
6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** The selected alternative does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. The selected alternative decommissions two miles of road no longer needed by the BLM for resource management. Any future projects will be evaluated through the NEPA (National Environmental Policy Act) process and will stand on their own as to environmental effects.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The interdisciplinary team evaluated the selected alternative in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the selected alternative is contained in Chapter 3 of the EA.
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** The selected alternative will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will the selected alternative cause loss or destruction of

significant scientific, cultural, or historical resources (EA, Appendix 3).

9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** Regarding ESA (Endangered Species Act) Section 7 consultation with National Marine Fisheries Service, the selected alternative is included within the Upper Willamette River Steelhead and Chinook Programmatic Biological Assessment and Biological Opinion (Project Record Document 47). Section 7 consultation with United States Fish and Wildlife Service was completed on February 28, 2001 (Project Record Document 65). See Chapter 3 of the EA for the details of the ESA effect findings for listed species.
10. **Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.** The selected alternative does not violate any known Federal, State, or local law or requirement imposed for the protection of the environment. The EA and supporting Project Record contain discussions pertaining to the Endangered Species Act, National Historic Preservation Act, Clean Water Act, Clean Air Act, Coastal Zone Management Act, and Executive Order 12898 (Environmental Justice). State, local, and tribal interests were given the opportunity to participate in the environmental analysis process. Furthermore, the selected alternative is consistent with applicable land management plans, policies, and programs (EA, pp. 48-49).

PROTEST PROVISIONS

This decision is subject to protest by the public. To protest this decision, a person must submit a written protest to Dana Shuford, Tillamook Field Manager, 4610 Third Street, P.O. Box 404, Tillamook, Oregon 97141-0161 by the close of business (4:00 P.M.) on May 3, 2001. The protest should clearly and concisely state the reasons why the decision is believed to be in error.

IMPLEMENTATION DATE

If no protest is received by the close of business (4:00 P.M.) on May 3, 2001, this decision will become final and may be implemented consistent with the elements of the decision. If a timely protest is received, this decision will be reconsidered in light of the statements of reasons for the protest and other pertinent information available and a final decision will be issued which will be implemented in accordance with 43 CFR Part 4.

CONTACT PERSON

For additional information concerning this decision or the BLM administrative review process, contact Katrina Symons, Tillamook Field Office, P.O. Box 404, 4610 Third Street, Tillamook, Oregon 97141; telephone (503) 815-1100.

Approved by: Dana R. Shuford
Dana R. Shuford
Tillamook Field Manager

4/6/01
Date